

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JOHN WALDRON,

Plaintiff,

v.

DONALD GAETZ, et al.,

Defendants.

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Civil Case No. 11-242-JPG-PMF

ORDER

FRAZIER, Magistrate Judge:

Before the Court is plaintiff John Waldron's "Letter of Complaint" which has been construed as a motion for change of venue. Waldron generally alleges that his litigation efforts have been hampered by many erroneous rulings throughout this case. He suggests that decisions resolving his discovery motions are not logical or reflect judicial bias, prejudice, unethical associations, and obstruction of justice. He believes he has been held to a professional standard and that his warnings about criminal and/or official misconduct were ignored. Waldron seeks a change of venue to the United States District Court for the Central District of Illinois or the United States District Court for the Northern District of Illinois, and further suggests that this proceeding should start anew.

As authority for his request, Waldron cites to Rule 26(b)(1) of the Federal Rules of Civil Procedure. Rule 26(b) outlines the proper scope of discovery but is not good authority supporting a request for a change of venue. *See Boalbey v. Whiteside Cnty. Bd.*, 1992 WL 373038, at *2(N.D. Ill. 1992)(no provision allows a change of venue based on an assertion that plaintiff cannot receive a fair hearing). Further, Waldron's concerns about rulings adverse to his

positions are not sufficient to show grounds for recusal. 28 U.S.C. §§ 144, 455. Finally, Waldron has the option to present proper concerns to the Court of Appeals. 28 U.S.C. §§351-364; Rules for Judicial-Conduct and Judicial-Disability Proceedings, 248 F.R.D. 674 (2008).

For these reasons, Waldron's motion for a change of venue (Doc. No. 77) lacks legal support and is DENIED.

IT IS SO ORDERED.

DATED: November 29, 2012.

**s/Philip M. Frazier
PHILIP M. FRAZIER
UNITED STATES MAGISTRATE JUDGE**